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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,636	03/06/2002	Yukitaka Hasegawa	P 290755 P1S2002022US	4912
23400	7590	11/17/2003	EXAMINER	
POSZ & BETHARDS, PLC			BARR, MICHAEL E	
11250 ROGER BACON DRIVE			ART UNIT	
SUITE 10			PAPER NUMBER	
RESTON, VA 20190			1762	

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

10/090,636

Applicant(s)

HASEGAWA ET AL.

Examiner

Michael Barr

Art Unit

1762

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

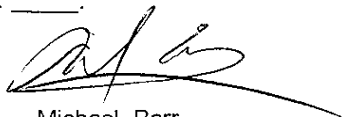
Claim(s) allowed: 4, 10, 11 and 15.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 5, 8 and 16.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: PTO-892

  
Michael Barr  
Primary Examiner  
Art Unit: 1762

### **ADVISORY ACTION**

1. Applicant's arguments, filed 10/21/2003, have been fully considered and reviewed by the examiner. The applicant argues that the Sakai reference does not teach the forming the claimed antioxidant film. The examiner respectfully disagrees. Sakai teaches providing a synthetic resin base, coating the base with a basecoating and drying, plating the basecoat with silver by a silver mirror reaction, washing the silver to remove undesired particles, treating the silver to form a polyester polyol coating, and then forming a topcoat on the coated silver, as set forth in the previous office action. The treatment step in Sakai for forming the polyester polyol coating of Sakai reads on the claimed antioxidant formation step, since polyester polyol is oxidation resistant and would be expected to behave as such in Sakai. The applicant requested evidence supporting the examiner's assertion that polyester polyol is oxidation resistant. The examiner cites references of Duocastella-Codina et al. and Wilson to show that a polyester polyol is considered oxidation resistant in the art. See Col. 1, lines 43-46 of Duocastella-Codina et al. and Col. 3, lines 32-35 of Wilson. Therefore, the examiner is maintaining his position that the polyester polyol coating of Sakai reads on the claimed antioxidant.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Barr whose telephone number is 703-305-7919. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on 703-308-2333. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Michael Barr  
Primary Examiner  
Art Unit 1762

MB  
November 5, 2003

A handwritten signature in black ink, appearing to be 'MB', with a long horizontal flourish extending to the right.